

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**ERVIN & SMITH ADVERTISING AND
PUBLIC RELATIONS, INC.,**

Plaintiff,

v.

**WILLIAM ERVIN, THOMAS ERVIN,
and BTM, INC., d/b/a ERVIN GROUP,**

Defendants.

CASE NO. 8:08CV459

**ORDER AND
FINAL JUDGMENT**

This matter is before the Court on the joint motion of Plaintiff Ervin & Smith Advertising and Public Relations, Inc. and Defendants William Ervin, Thomas Ervin, and BTM, Inc. d/b/a Ervin Group (Filing No. 68). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court finds that it should be approved. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal with Prejudice (Filing No. 68) is approved;
2. Plaintiff's claims against Defendants William Ervin, Thomas Ervin, and BTM, Inc. d/b/a Ervin Group are dismissed with prejudice;
3. The parties will pay their own costs and attorney fees; and
4. The Clerk of the Court is directed to terminate this case as Plaintiff's claims against each defendant have been dismissed.

DATED this 10th day of November, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge